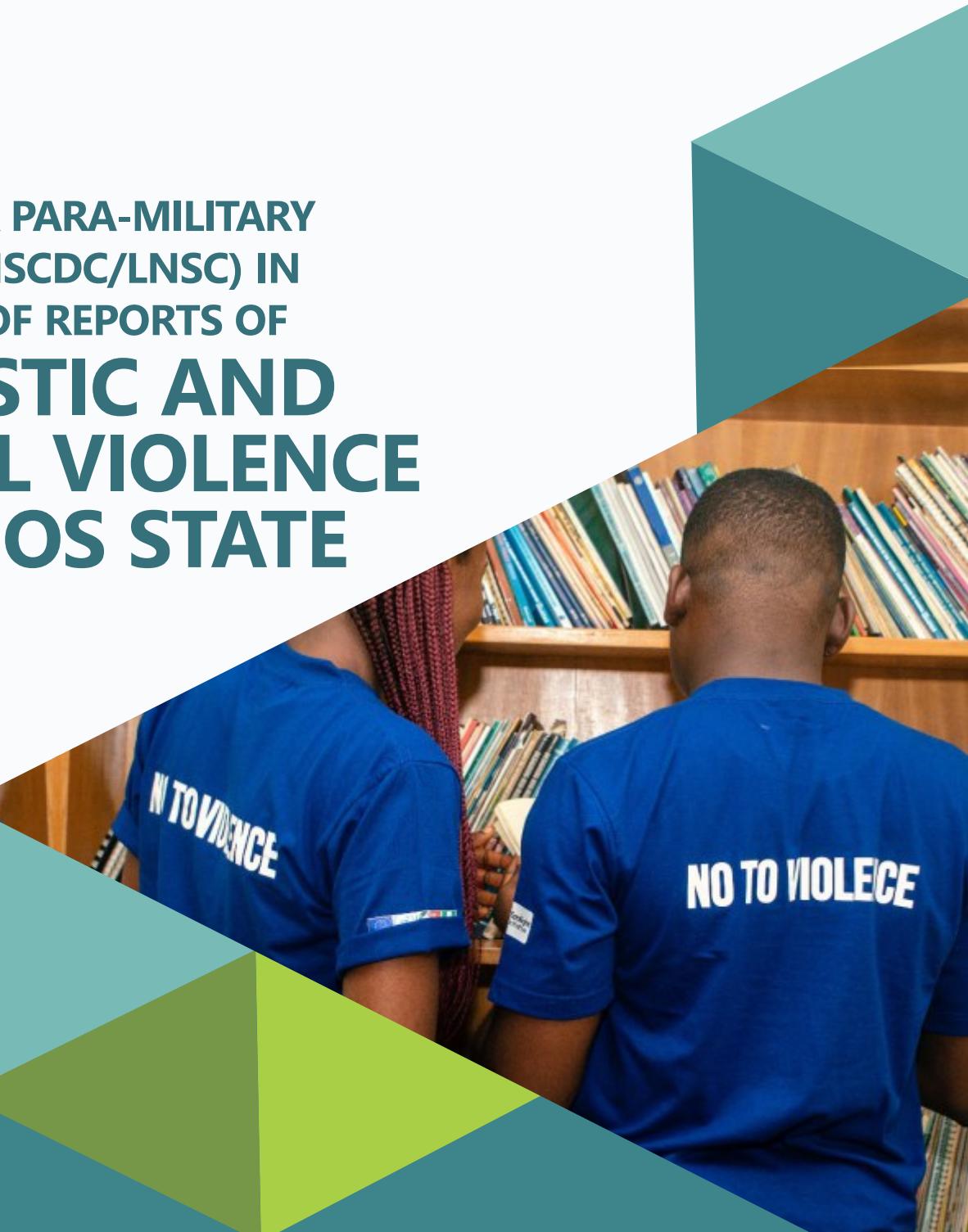




Spotlight Initiative

*To eliminate violence
against women and girls*

A GUIDE FOR PARA-MILITARY AGENCIES (NSCDC/LNSC) IN HANDLING OF REPORTS OF **DOMESTIC AND SEXUAL VIOLENCE IN LAGOS STATE**



This handbook was produced by the Centre for Women's Health and Information (CEWHIN) in collaboration with the Domestic and Sexual Violence Response Team (DSVRT), Nigeria Security and Civil Defence Corps and the Lagos Neighborhood Safety Corps with support from the United Nations Development Programme (UNDP) within the European Union (EU) and the United Nations (UN) funding window for the multi-year Spotlight Initiative to eliminate violence against women and girls.

The United Nations Development Programme is the United Nations' global development network. It advocates for change and connects countries to knowledge, experience and resources to help people build a better life for themselves. UNDP works to eradicate poverty and reduce inequalities through the sustainable development of nations, in more than 170 countries and territories.

The Centre for Women's Health and Information (CEWHIN) is an independent, not for profit making, non-governmental organization established for the promotion of and respect for the human rights of women and young girls, especially their reproductive and sexual health and rights. We are committed to empowering individuals for improved quality of life and social-change. CEWHIN envisions a society where women and girls are empowered to realize their mental, social and physical wellbeing.

Disclaimer: This handbook has been produced by the Centre for Women's Health and Information (CEWHIN) in collaboration with Domestic and Sexual Violence Response Team (DSVRT), Nigeria Security and Civil Defence Corps (NSCDC) and the Lagos Neighborhood Safety Corps (LNSC) to support the work of Anti-violence against women and girls' community advocates in their effort at engaging with different groups of women, men, boys and girls in their communities. CEWHIN hereby certifies that all the views of the United Nations or the European Union.

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TABLE OF CONTENT

7	DOMESTIC AND SEXUAL VIOLENCE
10	TERMINOLOGIES
12	LAWS/ACTS AGAINST DOMESTIC AND SEXUAL VIOLENCE IN NIGERIA
14	THE ROLE OF PARAMILITARY FORMATIONS IN RESPONDING TO SEXUAL AND GENDER BASED VIOLENCE
24	PROTOCOL FOR RESPONDING TO DOMESTIC VIOLENCE
30	PROTOCOL FOR RESPONDING TO SEXUAL VIOLENCE
33	APPENDIX

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The Nigeria Security and Civil Defence Corps, NSCDC created Citizens' integrity unit across its formations upon which the Gender Unit was birthed to prosecute anyone capable of Sexual violence in the Nation during the tenure of Abdullah Gana Mohammed, her former Commandant General in response to the rising rate of Sexual and Gender based crimes in our communities.

The gender unit of the Corps which aims to promote citizens' integrity has a bearing on efficiency, high ethical and moral conducts, responsiveness, commitment, and patriotism, compliance with rules and regulations and proactiveness in the discharge of lawful duties.

This, NSCDC shares the vision of the Domestic and Sexual Violence Response Team (DSVRT) and Centre for Women's Health and Information (CEWHIN), the pioneers of this handbook to instruct and encourage officers and the likes to value the right and integrity of the citizenship while due diligence is done in every case.

The guideline is a strong anchor and a very welcome innovation that will strengthen and serve as a guide to help officers to be more proactive and highly professional in discharging their duties as regards sexual and Gender Based Violence cases with utmost professionalism; relating with Sexual and Gender Based Violence, Survivors; investigating matters; gathering of evidence which are admissible in the court of law for prosecuting Sexual and Gender Based violence cases.

The Nigeria Security and Civil Defence Corps while strongly commending this organization for their vision pledges its continued unflinching support in combating the menace of sexual and gender based offences in our society as permitted in the Civil Defence Act of 2007 having been given the right to arrest, investigate and prosecute any criminal offence in the name of the Attorney General of the Federation.

P.K Ayeni

***State Commandant
Nigeria Security and Civil Defence Corps***



This handbook/guidelines on protocol for responding to both Domestic and Sexual violence by law enforcement agencies particularly the Nigerian Security and Civil Defence Corps (NSCDC) and Lagos State Neighbourhood Safety Corps (LNSC) is long overdue. The book succinctly brings into fore in brief the psychological and emotional trauma that come with Domestic and sexual violence and its accompanying challenges with universal pretences by governments in various jurisdiction that give little recognition to the offence as a grave one.

There is no doubt that prosecution and law enforcement of these offences have been very low over decades because of the ignorance of the law enforcers on what to do with evidence before they are adulterated, contaminated or compromised; the absence of witnesses, who may even be tainted or hostile in the course of examination or cross examination and the lukewarmness and fear of victims/survivors to the case because of community is accusation and indifference to their plight.

The present efforts to involve two notable community based law enforcement agencies of government viz; the Nigeria Security and Civil Defence Corps (NSCDC) and Lagos State Neighbourhood Safety Corps who are statutorily equipped to complement the efforts of Nigeria police in curbing crimes and arresting small offences will go a long way in reducing if not eliminating this monster of a crime. The protocol has been well laid out in such a way that law enforcers would easily know when to suspect domestic violence and sexual violence not only as law enforcers who are accountable to the people but as members of the local community.

It is therefore a welcome development that a protocol has come up that will assist in reducing or putting to end the claim of ignorance by law enforcers that will jeopardize chances of prosecution. This guideline will discourage the commission of the offence by those who may have been left out of the hook because of lack of relevant evidence.

Adegboyega O. Bajulaiye

General Manager
Lagos Neighbourhood Safety Agency



DOMESTIC AND SEXUAL VIOLENCE



Introduction

Domestic and Sexual Violence is one of the most pervasive violations of human rights in the world, one of the least prosecuted crimes, and one of the greatest threats to lasting peace and development.

Statistics has revealed that individuals of every tribe, ethnic group, faith and background experience Domestic and Sexual Violence, but some communities are disproportionately affected. In order to combat the prevalence of Domestic Violence and Sexual assault, priority must be given to adequate reporting and prosecution of reported cases timeously. This important development will help survivors of Domestic and Sexual Violence receive the various services; medical attention, psychosocial, legal services, Justice and other support services they need.

Violence against women and children has tremendous costs to communities, nations and societies—for public well-being, health and safety, and for school achievement, productivity, law enforcement, and public programs and budgets. If left unaddressed, these human rights violations pose serious consequences for current and future generations and for efforts to ensure peace and security in the State. The effects of violence can remain with women and children for a lifetime and can pass from one generation to another. Studies have shown that children who have witnessed or been subjected to violence are more likely to become victims or abusers themselves.

Domestic Violence is an extreme manifestation of gender inequality and systemic gender-based discrimination. The right of women and children to live free of violence depends on the protection of their human rights and a strong chain of justice. Between January 2016 to August 2020, the Lagos State Domestic and Sexual Violence Response Team recorded over five thousand cases of domestic and sexual violence as well as over one thousand five hundred cases of child sexual abuse (girl child).

Furthermore, statistics published by the DSVRT during the Covid-19 pandemic that necessitated a three months total lockdown revealed a 30% upsurge in reported cases of domestic and sexual violence in the



State. There is however a significant number of cases that go unreported, victims lose their lives in the process and are unable to tell their stories. In some instances, some survivors are forced to remain in abusive marriages due to financial dependency on their abusers.

There have also been reports of cases of husbands killing and maiming their wives in the media. The statistics presented by THISDAY (2011) newspaper are daunting, about 50% of women have been battered by their husbands. Shockingly, more educated women (65%) are in this terrible situation when compared with their low-income counterparts (55%). Most endure, believing they have nowhere to go and in any case, believing, that the law will not protect them. A staggering 97.2% of them are not prepared to report to the Nigerian Police.

In Nigeria, women and girls are subjected to multiple forms of violence in the homes which is due to a number of "causes" and it is tough to ascertain the extent of domestic and sexual violence as a significant number of cases go unreported and undocumented. This menace is seldom reported because of many reasons such as a result of fear of reprisal and lack of response from law enforcement officials, the shame of women having to admit they are being abused by their husbands or that they have been sexually assaulted especially for those that live in small communities coupled with the ignorance of the fact that it is wrong and could be corrected.

The lack of appropriate and satisfactory response from law enforcement officials is a huge gap in the fight against domestic and sexual violence especially in Lagos State, Nigeria as majority of cases end up settled out of court. There is therefore a clarion call for major reforms in the justice system as well as embracing the initiative of having the community watch established by the Lagos State government (Lagos Neighbourhood Safety Corps) as well as the Nigerian Security and Civil Defense Corps (NSCDC) join in the fight to end/ mitigate the phenomena of domestic and sexual violence against women and children (especially the girl child).

In view of the lacuna identified above, it has become expedient to proffer practical solutions as well as develop a guide for handling Sexual and Gender-based Violence cases for the Lagos Neighbourhood Safety Corps (LNSC) and Nigerian Security and Civil Defense Corps (NSCDC)



UNDERSTANDING SEXUAL AND GENDER BASED VIOLENCE

Generally, Sexual and Gender-based Violence is any act perpetrated against a person because of their gender (usually women and girls). Gender based Violence (GBV) disproportionately affects girls and women, particularly through certain forms of violence such as child marriage, intimate partner violence, emotional and physical abuses, female genital mutilation, and trafficking.

Addressing gender-based violence (GBV) is an important step toward achieving Sustainable Development Goals and a safer society for women and girls in the areas of gender equality, infant and maternal health and mortality and HIV/AIDS.

Yet GBV remains one of the most widespread and socially accepted categories of human rights violations. It is important for all actors to have a clear understanding of terms used in describing GBV and GBV related actions.

TERMINOLOGIES



► RAPE

Rape is a form of sexual assault, but not all sexual assaults are rape. It is a legal definition to specifically include sexual penetration without consent.

Rape as penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Although rape is traditionally between a man and woman, the Criminal Law of Lagos State in section 261 provides for "modern rape," which is Unlawful Sexual Assault by Penetration. This section provides that "any person who penetrates sexually, the anus, vagina, mouth or any other opening in the body of another person with a part of his body or anything else, without the consent of the person is guilty of a felony and liable to imprisonment for life".

This therefore contemplates a man being sexually assaulted by another man or even a woman being the perpetrator. By virtue of section 261, penetration need not be done by the penis. Rather, it can be done by any part of the body or with an object, as far as the penetration is sexual in nature



► SEXUAL ASSAULT

Sexual Assault can be defined as any type of sexual contact or behaviour that occurs without the explicit consent of the recipient. Instances where lack of consent to sexual activity would include the use of physical force, coercion, deception or threat; and/or the involvement of a victim that is mentally incapacitated or physically impaired (due to voluntary or involuntary alcohol or drug consumption), asleep or unconscious.

Forms of sexual assault include:

Attempted rape, fondling or unwanted sexual touching, forcing a victim to perform sexual acts, such as oral sex or penetrating the perpetrator's body, penetration of the person's body, also known as rape and forced exposure to pornography



► DOMESTIC VIOLENCE

Domestic Violence is a general term used to describe a range of behaviour often used by one person to **CONTROL** and **DOMINATE** another with who they are in a **COHABITING RELATIONSHIP** with.

These acts include, but are not limited to the following:

- Physical abuse;
- Sexual abuse/exploitation including but not limited to rape, incest and sexual assault;
- Starvation;
- Emotional, verbal and psychological abuse;
- Economic abuse and exploitation;
- Intimidation;
- Harassment;
- Stalking;
- Hazardous attack including acid bath with offensive or poisonous substances;
- Damages to property;
- Entry into the complainant's residence without consent where the parties do not share the same residence;
- Any other controlling or abusive behaviour towards a complainant, where such conduct harms or may cause imminent harm to the safety, health or wellbeing of the complainant; or

LAWS/ACTS AGAINST DOMESTIC AND SEXUAL VIOLENCE IN NIGERIA.



A.) THE CONSTITUTION OF NIGERIA 1999 (AS AMENDED 2011)

The constitution is the *Grund norm* and chapter IV deals extensively with fundamental rights. Section 34 provides for "right to dignity of human person" and sub 1 reads: "every individual is entitled to respect for the dignity of his (her) person and accordingly no person shall be subjected to torture or to inhuman or degrading treatment". Sexual and domestic violence in any form is an act against the personal dignity and honour of any person (victim). It is torture of the highest order and contrary to the provisions of the constitution. It is inhuman and degrading and has led to the death or psychological trauma for victims. Basically, sexual violence in whatever form is an infringement of a fundamental right of the victims. The constitution however did not define acts that would constitute breach of human dignity or torture although it can be implied but in sub (2) of the same section 34, the drafters took time to explain acts that would constitute "forced or compulsory labour", such interpretation should be given to section 34 (1) (a).

B. VIOLENCE AGAINST PERSONS (PROHIBITION) ACT, 2015

The Violence Against Persons Prohibition Act was assented to by the former President Goodluck Jonathan on 25th of May 2015. The Act deals with domestic, sexual and electoral violence. It criminalizes the offence of spousal battery and makes provisions for protection of women and girls in Nigeria.

Unfortunately, this Act is only applicable to the Federal Capital Territory, and so it behoves on States to adopt the legislation in their respective States in order for their residents to enjoy protection.

C. PROTECTION AGAINST DOMESTIC VIOLENCE LAW, 2015

The Protection against Domestic Violence Law, 2015 was enacted in order to curb the increasing menace of Domestic Violence in the State. Prior to the enactment of this Law there was no law in the State which addressed this situation.

This law was therefore enacted in order to identify the different ways where women who are faced with the challenges of Domestic Violence in the State can access justice and ensure that the menace is totally eradicated in our society.

The law therefore provides that:

- a) Law enforcement agencies have an obligation to apply for a Protection Order. This obligation is mandatory and can be done with the consent of the complainant (victims) except in the following circumstance where the victim is:
 - (i) A minor;
 - (ii) Mentally unsound;
 - (iii) Unconscious;
 - (iv) Incapable to consent for fear of refusal or
 - (v) A person whom the court is satisfied unable to provide the required consent.

D. CRIMINAL LAW OF LAGOS STATE, 2015 (AS AMENDED)

The Criminal Law of Lagos State provides rules on criminal conduct and regulates public order. Chapter 25 of the Law provides for Sexual offences which includes the following:

- (I) S 260- Rape
- (ii) S 261- Sexual assault by penetration
- (iii) S 262- Attempt to commit rape and sexual assault by penetration
- (iv) S 263-Sexual assault
- (v) S 264- Sexual harassment
- (vi) S 265- Causing a person to engage in sexual activity without consent
- (vii) S 266- Meaning of consent
- (viii) S 267- Bestiality
- (ix) S 268- Abduction
- (x) S 269- Abduction from custody of parents
- (xi) S 270- Ignorance of age of girl or consent, no defence

THE ROLE OF PARAMILITARY FORMATIONS IN RESPONDING TO SEXUAL AND GENDER BASED VIOLENCE



Lagos State Neighbourhood Safety Corps (LNSC)

The Lagos Neighbourhood Safety Corps (LNSC) is a uniformed security agency established by a law of the Lagos State House of Assembly in 2016 to assist the Police and other security agencies to maintain law and order in the state.

They operate in all the 57 LGA/LCDA in Lagos. The Lagos Neighbourhood Safety Corps (LNSC) officers are indigenous locals from the various LGA/LCDA where they operate, which is a deliberate policy in order to make use of their local knowledge to achieve maximum grass root intelligence gathering and community policing. Objectives of the agency include; (1) To establish a uniformed Neighbourhood Safety Corps within the state, (2) Assist the police and other security agencies within the state to maintain law and order.



FUNCTIONS OF LNSC INCLUDE:



Gathering information about crimes, crime in progress, suspicious activities and crime suspects among other things.

2.

Making available such relevant information on crimes, crime in progress, suspicious activities and crime suspects to the police or other security agencies that require it.

3.

Putting structure in place to ensure that hoodlums and cult groups do not have the opportunity to operate.

4.

Reducing the crime rate and ensuring that offenders are identified and made to account for their misdeeds.

5.

Undertaking routine motorized patrol day and night.



Timely reporting of suspicious activities and crimes in progress to the police or other security agencies and improving the relationship between the police and the community as it concerns law enforcement

6.
Following up on arrest of offenders to the court and ensuring justice.

7.

Contributing to maintaining community peace.

NIGERIAN SECURITY AND CIVIL DEFENSE CORPS (NSCDC)



NSCDC is a paramilitary institution in Nigeria that was established in May 1967 by the Nigerian Government, with the act of the National Assembly. The act was amended in 2007, to enhance the statutory duties of the corp. Nigerian Security and Civil Defense Corps is a para-military agency of the Government of the Federal Republic of Nigeria that is commissioned to provide measures against threat and any form of attack or disaster against the nation and its citizenry. The corps is statutorily empowered by Act No. 2 of 2003 and amended by Act 6 of 4 June 2007.

The Corps is empowered to institute legal proceedings by or in then and of the Attorney General of the Federation in accordance with the provisions of the constitution of the Federal Republic of Nigeria against any person or persons suspected to have committed an offence, maintain an armed squad in order to bear fire arms among others to strengthen the corps in the discharge of its statutory duties.

The NSCDC was first introduced in May 1967 during the Nigerian Civil War within the then Federal Capital Territory of Lagos for the purpose of sensitization and protection of the civil populace. It was then known as Lagos Civil Defense Committee. It later metamorphosed into the present-day NSCDC in 1970. On inception, the Corps had the objective of carrying out some educational and enlightenment campaigns in and around the Federal Capital of Lagos to sensitize members of the civil populace on enemy attacks and how to save themselves from danger as most Nigerians living in and around Lagos territory then had little or no knowledge about war and its implications. Members of the Committee deemed it important to educate through electronic and print media on how to guide themselves during air raids, bomb attacks, identify bombs and how to dive into trenches during bomb blast.

In 1984, the Corps was transformed into a National security outfit and in 1988, there was a major restructuring of the Corps that led to the establishment of Commands throughout the Federation, including Abuja, and the addition of special functions by the Federal Government. On 28 June 2003, an Act to give statutory backing to the NSCDC passed by the National Assembly was signed into law by Chief Olusegun Obasanjo, GCFR, the former president and Commander in chief of the Armed Forces, Federal Republic of Nigeria.

The Corps is empowered to institute legal proceedings by or in then and of the Attorney General of the Federation in accordance with the provisions of the constitution of the Federal Republic of Nigeria against any person or persons suspected to have committed an offence, maintain an armed squad in order to bear fire arms among others to strengthen the corps in the discharge of its statutory duties. The NSCDC was first introduced in May 1967 during the Nigerian Civil War within the then Federal Capital Territory of Lagos for the purpose of sensitization and protection of the civil populace. It was then known as Lagos Civil Defense Committee. It later metamorphosed into the present-day NSCDC in 1970. On inception, the Corps had the objective of carrying out some educational and enlightenment campaigns in and around the Federal Capital of Lagos to sensitize members of the civil populace on enemy attacks and how to save themselves from danger as most Nigerians living in and around Lagos territory then had little or no knowledge about war and its implications. Members of the Committee deemed it important to educate through electronic and print media on how to guide themselves during air raids, bomb attacks, identify bombs and how to dive into trenches during bomb blast.

FUNCTION OF NSCDC

The primary function of NSCDC is to protect lives and properties in conjunction with the Nigerian Police Force. One of the crucial functions of the Corps is to protect pipelines from vandalism. The agency is also involved in crisis resolutions.

ROLE OF LNSC AND NSCDC IN THE FIGHT AGAINST DOMESTIC AND SEXUAL VIOLENCE IN LAGOS STATE

All available and useful hands are needed in the fight to successfully end the menace of domestic and sexual violence in all communities in Lagos State. Despite the work that has been done by the police and other government and non-government institutions it is of utmost importance that, agencies or formations closer to the people in the community be a pivot in the fight to successfully end the domestic and sexual violence in Lagos State.

Interestingly, the Lagos state government established the LNSC to further keep and strengthen the peace of communities of the state as well as intensify protection of fundamental human rights and ensure safety of lives of residents in these communities and the State at large. Sequel to this, the Nigerian government as previously mentioned, established the Nigerian Security and Civil Service Defense corps to achieve the aforementioned objectives on a national level. However, these two agencies/ institutions will be better utilized in the fight against domestic and sexual violence in Lagos State as these two organizations / agencies possess a closer relationship with communities (leaders, faith-based organizations and residents).

Hence, the LNSC and NSCDC should play actively in;

I) PREVENTION (EDUCATING THE COMMUNITY)

The Sustainable Development Goals (SDG) charges all Anti-Sexual and Gender-based Violence organisations / agencies in adopting a two-armed approach towards mitigating and eliminating the menace in their communities, state and country at large. This two-armed approach are; Preventive and Response (remedial/ managerial). The first arm of this approach concerns the sensitization/ awareness creation of the Domestic and sexual violence;

- a) Myths, Facts, Ideals
- b) mandated reporting,
- c) Debunking Toxic Masculinity,
- d) Correcting Culture and Religious norms, and;
- e) First-aid Actions in preventing Domestic and Sexual Violence

ii) COLLABORATIVE EFFORTS

The Social Control Mechanisms and Human Services should be able to share information when investigating Domestic Violence. It is therefore beneficial to all in the fight to curb the occurrence of Domestic and Sexual Violence with a more advantage to the survivors, that all responder agencies work in partnership. Therefore, every officer of the LNSC and the NSCDC should work in partnership with the following community service providers, systems and agencies:

- a) Community Based Organizations
- b) Faith Based Organizations
- c) Local Service Providers
- d) Community representatives responsible for issues related to domestic violence
- e) Lagos State Domestic and Sexual Violence Response Team
- f) The Nigerian Police
- g) Office of the Public Defender
- h) Relevant Non-Governmental agencies;
- i) Ministry of Women Affairs& Poverty Alleviation
- j) Directorate of Citizens' Rights

I) INVESTIGATION

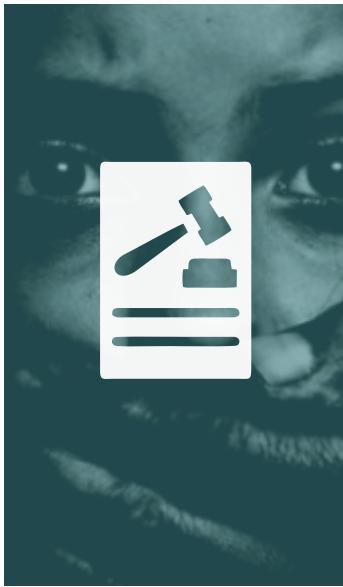
Studies have shown that the likelihood of prosecution improves by between 66 and 70 percent when an officer lists more than one witness on a domestic violence report. The time it takes to interview neighbours, speak to the Emergency caller (where relevant) who reported the crime, take statements, or interview children present in the home is worthwhile. It is difficult to determine who is telling the truth when only the defendant and victim are interviewed.

Witnesses can indicate which party is more truthful or provide missing information or evidence that suspects, or victims may withhold—such as a car scratched with a key by an angry partner. Children may describe other domestic violence incidents and could alert the officer to evidence from those crimes, perhaps in the dustbin. A child might point out a cracked pool stick used to strike a parent a few nights earlier or broken glass from a shattered glass table. Neighbours could describe specific threats they overheard or tell an officer about a partner who no longer resides in the home, but who sits in a car across the street for hours or follows the victim.



OTHER PRIMARY ROLES OF THE LNSC AND NSCDC SHOULD BE:

I ON THE SPOT ANALYSIS		<p>Upon receiving a case of domestic or sexual violence, the receiving agency/ officer (s) should proceed immediately to the place of occurrence after a referral has been made to the closest Primary Health Centre (PHC) for cases where physical injuries have been recorded. In furtherance, the officer gathers information surrounding the case which may help support the process of seeking justice for survivors.</p>
II REPORTING		<p>Documentation of statements made by the perpetrator, survivor and witnesses as well as compiling all evidence for accountability and to add the police intervention. This reporting will also assist referring agencies on the best approach to each individual case.</p>
III EVIDENCING		<p>In furtherance of the duties and roles of the officials of the LNSC and NSCDC, evidence gathering, and storing is key in the process of seeking justice for survivors as well as ensuring that perpetrators do not get away with their actions. Taking photos of injuries, weapons/ items used in perpetrating the crime as well as photos evidencing assault such as clothing, physical injuries etc.</p>
IV ARREST		<p>Describing the alleged perpetrator and their environment as well as partner with the Lagos State police (Family Support Units/ Human Rights Units) in effecting arrest.</p>



LIMITS OF CONDUCTS/OFFENCES

There is a saying which goes:

“Practice what you preach”.

Thus, officers of the Lagos Safety Corps and Nigerian Security and Civil Defense Corps should have limits and can be prosecuted under the law for offences of which they are established and trained to fight against.

The following is a list of limits of conducts and offences guiding the behaviour of officers when handling domestic and sexual violence cases:

- Threats or damage to personal properties Hindering the fundamental human rights of people
- Indecent Assault, Blackmail, Rape and other forms of harassment Pressuring survivors to withdraw their cases, Kidnap and Child Abuse Being the Doctor, prosecutor, and Judge of the case.
- Threat to Life and Social Status
- Perpetrating Physical and Emotional Assault



ETHICAL CONSIDERATIONS

Whilst responding and investigating reports of Domestic and Sexual Violence, there are two major ethical considerations that should guide your investigations.

These include:

1. CONFIDENTIALITY

As officers, whilst responding to Sexual and Gender Based Violence, utmost confidentiality must always be upheld. This is especially because of the stigma usually associated with these vices, and as such, when reports are made to you, the details, the identity of the survivor must remain confidential, especially when dealing with children.

The identity of children who have been abused must never be disclosed as this may expose the child to further trauma. This is, in adhering to the provisions of the Child's Rights Law Lagos State, 2015 (as amended) as well as the Executive Order on Safeguarding and Child Protection, 2016.

Confidentiality is also critical when it involves reports received from a Mandated Reporter (anybody who makes a report on behalf of the survivor). The identity and details of the Mandated reporter must remain anonymous.

This is to ensure that the Mandated Reporter does not experience any reprisal and other residents are encouraged to report on behalf of persons experiencing Sexual and Gender Based Violence.

2. INFORMED CONSENT

It is important that the survivor gives you informed consent during the entire investigation process. In cases of Domestic Violence, you have a duty to seek and obtain the survivor's consent for any action you intend to take, which can include calling the alleged abuser, referring to the police station or any other responder agency.

Even when it appears that the intended action may be in the survivor's

best interest, the informed consent for all the necessary steps you intend to take must be obtained you have a duty to ensure the survivor is part of the process, after all, it is their case.

This is crucial as the perpetration of Domestic and Sexual Violence erodes the power of the survivor to make a choice, to be self-determinant and so once the survivor reports, responder agencies have a duty to gradually give the power of choice back, the ability to determine the course of the lives, to the survivor.

In sexual violence, the same ethical consideration is applicable, and this is more apparent when survivors visit the health facilities to receive medical attention after an alleged sexual assault occurrence.

PROTOCOL FOR RESPONDING TO DOMESTIC VIOLENCE



► INTERVIEW ALONE

It is important that the survivor is interviewed in private, and never in front of the alleged offender

Interview alone to:

- Respect the survivor's right to privacy and confidentiality;
- Ensure the survivor's safety; and
- Enable the survivor to speak and disclose her experiences without fear of reprisals



► BELIEVE THE STORY

The story you hear may be so horrendous that it can seem hard to believe, but that does not mean that it has not happened. Survivors of domestic violence want to hold their family together, and they can find it difficult to disclose violence for a variety of reasons including: (I agree with the comment)

- Fear of not being believed;
- Shame attached to violence being committed by someone you love;
- Judgment attitudes displayed by workers;
- Threats from the alleged offender to the survivor and/or children; and
- Concern for the future, especially for pregnant women.

It is important to indicate to the survivor that you believe the story. **As a Responder Agency, you should adopt a non-judgmental attitude and provide empathy and support.** Do not blame the victim or absolve the perpetrator from responsibility.



► CALL

Referral to support services is an important component of care but obtain the survivor's consent first.

- Provide or assist the survivor to receive medical treatment if required.
- Refer to a **Social Worker** or to the **Domestic and Sexual Violence Response Team**
- Refer to the closest Comprehensive Primary Health Care Centre or Sexual Assault Referral Centre if sexual assault is suspected.
- Refer to **Police** for investigation as appropriate.

In the case, NSCDC can conduct the investigation, it should be done according to the law and the case file forwarded to the Directorate of Public Prosecutions (DPP). Explain that domestic violence is a crime and advise the survivor of his or her legal rights, namely:

- (i) to charge the offender with assault or
- (ii) to obtain a restraining order.

- Refer to DSVRT for ensuring coordination.
- When children are subject to, or at risk of, physical violence it is mandatory for certain professionals to notify the **Child Protection Unit of the Ministry of Youth and Social Development**. [This applies to professionals such as doctors, social workers, child and school health nurses, psychologists and welfare workers, including you as a law enforcement officer.] Even if not directly abused, children can be traumatized by witnessing abuse. Refer to appropriate **counselling services** if this may be the case.





► DOCUMENT HISTORY

Accurate, detailed records are essential whether the survivor intends to take legal action currently or not. Be aware that the documentation of injuries may provide medico-legal evidence in court.

Record Details Of:

- Time of arrival
- Language and dialect spoken and need for an interpreter.
- Physical and emotional behavioural manifestations.
- History given by the survivor regarding the assault or abuse.
- Own observations and whether this is consistent with the history given by the survivor. · Any referrals given.
- Any partner behaviour which may indicate domestic violence, such as threats or always being present.
- Any involvement by Police or any other Responder Agency, and the name of the contact officer.
- The names and involvement of family and any other persons in attendance.



► ENSURE SAFETY

The safety of the **survivor** is crucial. Officers should ask the survivor if the survivor fears for their safety or for the safety of the children. Take all threats seriously. Respect any requests by the survivor not to see the abusive partner. If the survivor or their children are in danger or feel unsafe, contact relevant emergency accommodation services to ensure that they have a safe place to stay. Contact the Police if appropriate.

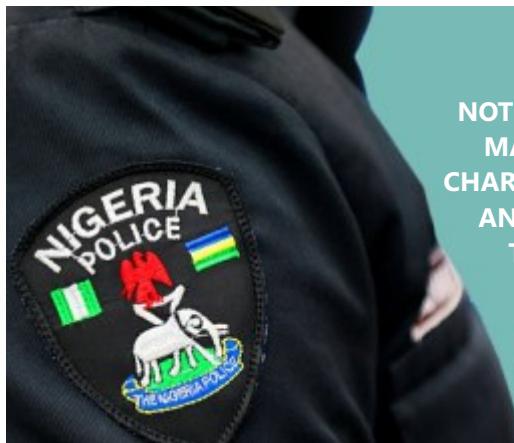
Officers should also consider their own safety.

Officers should avoid attempts to mediate or explain the violence. In domestic violence, the power between the parties is not equal and cannot be negotiated.



NOTIFICATION REQUIREMENTS TO HEALTH WORKERS AND OTHER PROFESSIONALS

Assault, whether it be associated with domestic violence or not, is a serious criminal offence. Information relating to a serious criminal offence should be reported to the police for further action.



NOTIFICATION TO POLICE IS TO BE MADE BY THE PRACTITIONER IN CHARGE OF THE SURVIVOR'S CARE, AND WHEREVER POSSIBLE WITH THE SURVIVOR'S AGREEMENT.

The Police should be notified, with or without the survivor's consent, when:

- Serious injuries have been inflicted;
- A weapon has been used; or The alleged perpetrator has access to a gun or similar, particularly if threats have been made; or
- There is a reasonable expectation that the survivor is at risk of further abuse. (Note: This is often the case with domestic violence.)
- In all other cases, the survivor right to pursue or not pursue the matter should be respected.



RIGHTS OF SURVIVORS USING SUPPORT SERVICES

People experiencing domestic violence using responder services have a right to:

- Have control over their own lives and always have the choice of accepting information.
- Be acknowledged as being in the best position to understand and express to the support service worker(s) their need for assistance.
- Privacy and confidentiality regarding survivor information.
- Be treated by all support service workers with compassion and courtesy and with due respect for their personal rights, dignity and well-being.
- Expect assistance that is reliable, of high quality, legal and in some instances culturally appropriate.



WHEN A CASE OF DOMESTIC VIOLENCE IS REPORTED TO THE PARAMILITARY AND OTHER LAW ENFORCEMENT AGENCIES

The following shall apply when NSCDC has a Fiat of the Attorney-General to prosecute a case:

- I. NSCDC should establish a case of domestic violence when one is so reported by arresting, prosecuting the offender/perpetrator as this will establish severity of domestic violence rather than mediation, as the preferred means of police response to domestic violence.
- II. Your office should afford maximum protection and support to victims of domestic violence through a coordinated program of law enforcement and victim assistance as envisaged by the Prevention against Domestic Violence Law, 2007.
- III. If you already have ready access to criminal records that indicate whether the parties involved in the incident have been involved previously in domestic incidents or that indicate whether there is a protection from abuse order involving the parties in effect, the police officer should consult such record or any relevant information to the responding officer.

- IV. All NSCDC formations should ensure that the Gender Desk Officers across its offices are active in responding to reported cases, document the same accordingly (providing all necessary elements of the common Domestic Violence Register) and ensure same are reported back periodically to relevant authorities and agencies for adequate supervision and responsive follow ups.
- V. The NSCDC will use a proactive approach in dealing with offenders. This approach requires NSCDC to not only respond to incidents of domestic and family violence and arrest; but to develop strategies to reduce repeat offender behaviour and manage repeat and high-risk offenders. The NSCDC officer would use all lawful means to regulate domestic violence. This includes wherever possible, removing offenders from the victim, taking out an order to protect victims of domestic violence when they are fearful of future violence or threats to their safety.
- VI. Upon arrest, the offender/accused's details and report must be entered immediately on the Domestic Violence Offenders Register.
- VII. Upon the arrest of the suspect, the NSCDC should charge the case to Court, rather than mediation. Mediation will only be an option if the victim opts for mediation.
Mediation will however NOT BE an option for either the Police, other Responder Agencies or the victim to explore where the violence exerted, can be reasonably seen to be likely to cause death.
- VIII. The NSCDC should promote involved officer's safety and skill-set development by ensuring that officers are as fully prepared as possible to respond to domestic violence calls and reports.

An NSCDC Officer does not have the duty to refuse to institute a prosecution or withdraw a charge in respect of contravention, unless he or she has been so authorised by the Attorney General of the State.

PROTOCOL FOR RESPONDING TO SEXUAL VIOLENCE



► ASK ALONE

It is important that the survivor is interviewed in private, and never in front of the alleged offender

Ask alone to:

- Respect the survivor's right to privacy and confidentiality;
- Ensure the survivor's safety; and
- Enable the survivor to speak and disclose her experiences without fear of reprisals



► BELIEVE THE STORY

The story you hear may be so horrendous that it can seem hard to believe, but that does not mean that it has not happened. A woman is unlikely to make up an allegation of domestic violence.

Victims of domestic violence want to hold their family together, and they can find it difficult to disclose violence for a variety of reasons including:

Fear of not being believed;

- Shame attached to violence being committed by someone you love;
- Judgment attitudes displayed by workers;
- Threats from the alleged offender to the survivor and/or children; and
- Concern for the future, especially for pregnant women.

It is important to indicate to the victims that you believe the story. As a Responder Agency, you should adopt a non-judgmental attitude and provide empathy and support. Do not blame the victim or absolve the perpetrator from responsibility.



► CALL

Referral to support services is an important component of care but obtain the survivor's consent first.

- Provide or assist the survivor to receive medical treatment if required.
- Refer to a social worker where it involves a child or to the Domestic and Sexual Violence Response Team

Other procedures:

1. Case is reported at the Charge Room, where the Charge Room Officer (CRO) decides it is Gender based/Domestic Violence and refers it to the Gender Desk Officer
2. Statement of survivor/complainant is recorded (Video recording is indispensable, especially when it involves a child);
3. Survivor is referred for medical examination and counselling;
4. Visit to the scene of crime;
5. Suspect is arrested and cautioned;
6. Other evidence e.g. physical evidence or corroborative evidence of witnesses is obtained;
7. Case file is compiled and transmitted to the closest Family Support Unit of the Nigeria Police force of the Gender Desk Department of the Lagos State Police Command;
8. Case file would be duplicated and forwarded to the Directorate of Public Prosecutions (DPP); and
9. Where there is sufficient evidence, DPP takes over for prosecution.



► WHEN TO SUSPECT DOMESTIC VIOLENCE

1. Injuries are difficult to account for as being accidental
2. Survivor is evasive, embarrassed or ashamed of the injuries
3. Injuries are in areas of the body usually covered by clothing.
4. There was a substantial or unexplainable delay between the time of injury and presentation for treatment
5. An accompanying partner wants to speak for the survivor or insists on staying close to the survivor
6. There has been repeated use of accident and emergency services
7. Medical history reveals several 'accidents' and injuries of suspicious origin
8. The survivor has vague complaints or pain without a psychological cause.
9. There have been suicide attempts
10. There is alcohol or drug use.



► WHEN TO SUSPECT SEXUAL VIOLENCE

1. When it involves children, they may walk in a funny way after the incident
2. Unexplained fear of a particular person
3. Inability or initial lack of desire to speak about the incident. This is common because most perpetrators would threaten, they would die or something evil would happen to them or to their loved ones, or they would not be believed if they report the case.

GOVERNMENT INSTITUTIONS/MINISTRIES DEPARTMENTS AND AGENCIES

S/N	AGENCIES	ADDRESS	CONTACT/PHONE NUMBER	WEBSITE/EMAIL ADDRESS	NATURE OF SERVICE PROVIDED
1	Ministry of Women Affairs and Poverty Alleviation	Block 18 Lagos State Secretariat Alausa	08036256457	Lagosstatewapa.org	Provision of psychosocial support and empowerment for survivors of domestic violence
2	Ministry of Youth and Social Development	Block 18 Lagos State Secretariat Alausa	08183050639	Youthandsocialdevelopmentlagosstate.gov.ng	Child protection, counselling and shelter
3	Office of The Public Defender	2-8 Iyin Street Stadium Bus-Stop/ Barracks Surulere	0708-0601-080	Opdlagos@yahoo.com	Legal representation of children in conflict with the law, and survivors of domestic violence
4	One Stop Justice Centre; Directorate of Citizens' Rights	Block 2, Ministry of Justice Secretariat Alausa	0708-0601-080 0807-7225-566	Info@lagosministryofjustice.org	Legal representation of children in conflict with the law, child protection
5	The Lagos State Domestic and Sexual Violence Response Team	Behind Ministry of Justice, Block 2 Alausa Secretariats.	0813-796-0048 0906-288-7857 0800-033-3333	Info@dsvrtlagos.org	Offers services to sexual and domestic violence survivors and provides referrals
6	Child Protection Unit Lagos Ministry of Youth and Social Development	Block 18 Alausa Secretariats	0802-307-9008	Sunmbo_d@yahoo.com	Child abuse /gender -based violence
7	Lagos Neighbourhood Safety Agency - LNSA	Multi Agency Complex, Bolade Oshodi	0802-359-1653	Nhrcnigeriaswz@gmail.com	Response to sexual and domestic violence distress calls communities and neighbourhoods they police
8	National Human Rights Commission	No, 20 Olorunnimbe Street, Wemabod Estate, Off Adeniji Jones, Ikeja, Lagos	0803-721-3380	lukaskoyejo@gmail.com	Receives and investigates all complaints of human rights violations, SGBV, VAP, violations of children's rights labour and related matters
9	Nigerian Security and Civil Defence Corp	Plot 1 Blot 1 Obafemi Awolowo Way, Alausa Ikeja	0805-997-5412	Dojohnson700@gmail.com	Anti-human trafficking; Response to violence against women /girls incl. child abuse and sexual exploitation etc.,

CIVIL SOCIETY ORGANISATIONS/NON-GOVERNMENTAL ORGANISATIONS

S/N	ORGANISATION	ADDRESS	CONTACT/PHONE NUMBER	WEBSITE/EMAIL ADDRESS	NATURE OF SERVICE PROVIDED
1	Cece Yara Foundation	2a, Akin Ogunmade-Davies Close, Gbagada Phase II, Gbagada Lagos	0908-569-2612 0908-569-2326 0800-800-8001 0700-700-7001 (TEXT) 0908-569-2623	Info@ceceyara.org	Counselling and support services for sexually abused children, advocacy and support, justice and law enforcement
2	Centre For Citizens with Disabilities	No. 3 Salvation Road, Opebi Ikeja	0803-397-7025	Ccdnigeria@gmail.com	Offers legal aids support, representation and capacity building
3	Centre for Women's Health And Information	34 McNeil Road, By Sabo, Yaba. Lagos	0802-313-0167	cewhin@yahoo.com	Promote research for women and young people's reproductive and sexual health and rights.
4	Child Protection Network (CPN), Lagos State Chapter	SOS Children's Village 153, Mushin Road, Lagos.	0806-584-1438	Cpnlagos@yahoo.com	Members of the network offer a variety of services regarding prevention, impact mitigation and protection of children from all forms of abuse
5	Child To Child Network	11, Fagbile Street, Off Clegg Street Ojuelebgba Surulere	0803-348-4510 0809-607-2168	Childtochildnt@yahoo.com	Child protection and counselling

6	Echoes of Mercy And Hope Foundation	80, Raymond Njoku Street, SW Ikoyi, Lagos	0803-212-8822	Info@emhfgirlshome.com	Shelter, rehabilitation of abused children
7	Human Development Initiatives	2, Iwaya Road Onike Yaba Lagos	01-7938074	Info@hdinigeria.org	Counselling and protection of children
8	Ireti Resource Centre	Idowu Onisere Bus Stop, Governor's Road Ikotun – Lagos	0700-333-3111 0701-194-8577	Ireti@womensrightandhealth.org whr.project@yahoo.com	Sexual and gender-based violence response and referrals; counselling and therapy; community legal clinic; and psychosocial support services
9	Media Concern Initiative for Women And Children	23, Adeputan Street, Off College Road, Ogbia, Lagos State.	0802-333-1036 0805-820-7164 (WhatsApp)	Info@mediaconcern.net	Victim advocate forensic interviewing, counselling, referrals, child protection, Trauma Management etc.
10	Mirabel Centre	Lagos State University Teaching Hospital, Ikeja (LASUTH)	0818-7243-468 0701-349-1769 0818-724-3468	Partners4justice@yahoo.com timayen@yahoo.com Sarc@pjnigeria.org	Provision of sexual assault management services (health & psychosocial support
11	Pastor Bimbo Odukoya (PBO) Foundation	12, Industrial Estate Road, Ilupeju, Lagos	0803-580-0201 0809-393-3439	Admin@pbofoundation.org	Shelter, rehabilitation of abused children
12	Project Alert on Violence Against Women	21, Akinsanya Street Off Isheri Road, Taiwo Busstop, (Behind Frsc) Ojodu Berger, Ikeja Lagos	0818-009-1072	Projectalert@projectalertrnig.org info@projectalertrnig.com	Provision of support services; shelter and medical support; empowerment, police station accompaniment
13	Vision Spring Initiatives	2b Kofoworola Street Dele Kuti Estate, Ebute, Ikorodu	0802-341-2984 0803-199-9612	Visionspringinitiatives@yahoo.com	
14	Women Arise for Change Initiative	7b Olufunmilayo Okikiolu, Off Toyin Street Ikeja	0803-722-3313 0807-269-0086 0802-845-5329	Drjoeodumakin@gmail.com	Provision of legal and emergency support to survivors of sexual and gender-based violence
15	Women At Risk International Foundation	6, Turton Street, Off Thorborn Avenue, Sabo Yaba. Lagos	0809-210-0008	Info@warif.org	Provision of health and psychosocial support to survivors of domestic and sexual abuse
16	Women's Advocacy and Documentation Centre (WARDC)	9b James Oluleye Crescent (Harmony Enclave) Off Adeniyi Jones By Koko Bus Stop, Ikeja, Lagos	0818-005-6401	Womenadvocate@yahoo.com	Offers referrals and other survivor support services, including free legal services
17	Women's Rights And Health Project (WRAHP)	196, Egbe-Ikotun Road, Ile-Epo Bus Stop, Ejigbo, Lagos State	0701-948-5577 0803-718-3072	Whr.project@yahoo.com	Offers counselling, impact mitigation and referrals services free of charge

THE NIGERIAN POLICE FORCE

S/N	NAME OF UNIT	LOCATION/AREA COMMAND	CONTACT PERSON	CONTACT/ PHONE NUMBER
1	Nigeria Police, Gender Desk Officer, Gender Unit	Lagos State Police Command, GRA- Ikeja	Officer in Charge/Gender	0906-288-7875 0817-589-9289
2	Adeniji Adele FSU	Lagos State Police Command Adeniji Adele Street Lagos Island, Area A	Officer in Charge	0906-288-7864
3	Ikeja FSU	Lagos State Police Command, Ikeja Government Reserved Area Area F	Officer in Charge	0906-288-7870
4	Ikotun FSU	Lagos State Police Command, Ikotun Idimu Road Ikotun Lagos Area D	Officer in Charge	0906-288-7863
5	Isokoko FSU	Lagos State Police Command, Agege Motor Road Agege Area G	Officer in Charge	0906-288-7856
6	Ikorodu FSU	Lagos State Police Command, Igboogbo Baiyeku LCDA, Ikorodu Area H	Officer in Charge	0906-288-7858
7	Ketu FSU	Lagos State Police Command, Ikorodu road Ikosi Ketu Area H	Officer in Charge	0906-288-7853
8	Ilupeju FSU	Lagos State Police Command, 17 Bishop Street, Ilupeju, Lagos Area F	Officer in Charge	0802-353-2282
9	Ajah FSU	Lagos State Police Command, Ajah Police Station/ Area J	Officer in Charge	0906-288-7849
10	Nigeria Civil Defence Corp, Gender Desk Officer, Gender Unit	Plot 1 Block B, Obafemi Awolowo Way Ikeja Lagos State Command Opposite Ikeja City Mall	Officer in Charge	0808-733-0196

Culled from Sexual and Gender Based Violence, Referral List: Lagos by Project Alert on Violence Against Women.



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